

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Frederick S.M. Herz et al.
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For: SECURE DATA INTERCHANGE
Examiner: C. Y. T. Truong
Art Unit: 2169

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I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.8(a)(4).

Dated: April 3, 2009

Signature: Patricia L. Marchetti (Patricia L. Marchetti)

**REQUEST TO CORRECT PAIR RECORDS AND RE-CALCULATE THE
PATENT TERM ADJUSTMENT**

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Madam:

Applicants' representatives checked the USPTO's PAIR database and have found that the database includes an error regarding the date of one of Applicants' responses. For Applicants' response filed on October 16, 2006, the date of receipt is erroneously listed in PAIR as being June 21, 2007. As shown by the return receipt postcard provided to the USPTO in June of 2007, the response mailed October 16, 2006 was originally received by the USPTO on October 19, 2006. In June of 2007, Applicants' representative received a telephone call from the USPTO indicating that the USPTO had misplaced Applicants' response. Applicants re-sent the missing papers to the USPTO in June of 2007. The original receipt date of the response (October 19, 2006) should be shown on PAIR, not the date that the papers were re-sent to the USPTO. Applicants respectfully request that this data be corrected because it affects the USPTO's patent term adjustment

calculation. Applicants respectfully request that the patent term adjustment be re-calculated with the correct data. Applicants note that this request is not a request for reconsideration of the patent term adjustment under 1.705(b), but rather a request to correct the USPTO's database and re-calculate the patent term adjustment.

Dated: April 3, 2009

Respectfully submitted,

By Robert A. Jensen

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